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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,867	10/11/2004	Pi-Hai Liu	22171-00019-US2	5866

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EXAMINER

TRAN, THANG V

ART UNIT	PAPER NUMBER
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2627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
2 MONTHS	01/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/711,867

Applicant(s)

LIU ET AL.

Examiner

Thang V. Tran

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-77 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 50 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1-49 and 51-77 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

The communication dated 11/03/06 has been considered with the following results:

Claim Objections – 37 CFR 1.75

1. Claims 1-77 are objected to under 37 CFR 1.75(a) for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1:

The term “the status of the wobble signal”, line 9, has no structural antecedent basic.

Also, it is unclear from the claim as to how the status of the wobble signal is recognized, monitored, determined or detected so that a physical mark indicator according to such status designates one of at least two signal process criteria to process the matched signal.

In claim 7:

The term “the status of the wobble signal”, lines 8-9, lacks of structural antecedent basic.

Also, it is unclear from the claim as to how the status of the wobble signal is recognized, monitored, determined or detected so that a physical mark indicator according to such status can designate one of at least two threshold values.

In claim 17:

The term “the position of the wobble signal”, lines 3-4, has no structural antecedent basic.

Art Unit: 2627

Also, it is unclear from the claim as to how the position of the wobble signal is recognized, monitored, determined or detected so that a physical mark indicator according to such position designates the threshold value.

In claim 24:

The term “the wobble length numbers”, line 4, has no structural antecedent basic.

Also, it is unclear from the claim as to how the wobble length numbers is recognized, monitored, determined or detected so that a physical mark indicator according to such wobble length numbers designates the threshold value.

In claim 29:

The term “the status of the wobble signal”, line 8, lacks of structural antecedent basic.

Also, it is unclear from the claim as to how the status of the wobble signal is recognized, monitored, determined or detected so that a threshold value generator can designate one of at least two threshold values according to such status.

In claim 36:

See the objection applied to claim 17.

In claim 42:

See the objection applied to claim 24.

In claim 47:

The term “the status of the wobble signal”, line 9, has no structural antecedent basic.

Also, it is unclear from the claim as to how the status of the wobble signal is recognized, monitored, determined or detected so that a physical mark indicator according to such status designates one of at least two offset values.

In claim 49:

The term “the position of the wobble signal”, line 3, has no structural antecedent basic.

In claim 51:

The term “the position of the wobble signal”, lines 4-5, has no structural antecedent basic.

Also, it is unclear from the claim as to how the position of the wobble signal is recognized, monitored, determined or detected so that a physical mark indicator according to such position designates the compared signal as the physical mark indication signal.

In claim 58:

See the objection applied to claim 24.

In claim 62:

The term “the status of the wobble signal”, lines 8-9, has no structural antecedent basic.

Also, it is unclear from the claim as to how the status of the wobble signal is recognized, monitored, determined or detected so that a designating step according to such status designates one of at least two signal process criteria to process the matched signal.

In claim 67:

Art Unit: 2627

See the objection applied to claim 17.

In claim 73:

See the objection applied to claim 24.

Claims 2-6, 8-16, 18-23, 25-28, 30-35, 37-41, 43-46, 48, 52-57, 59-61, 63-72, 74-77 fall with their respective parent claim.

Allowable Subject Matter

2. Claim 50 is allowable over the prior art of record.
3. Claims 1-49 and 62-77 would be allowable if rewritten or amended to overcome the objection(s) to under 37 CFR 1.75(a), set forth in this Office action.
4. Claims 51-61 would be allowable with their respective parent claim if rewritten or amended to overcome the objection(s) to under 37 CFR 1.75(a), set forth in this Office action.
5. Claims 1-77 are allowable over the prior art of record because the prior art of record, considered alone or in combination, fails to suggest or fairly teach an apparatus or method for detecting physical marks from a wobble signal including a combination of all of features/limitations and their relative functional operations as particularly recited in each of claims 1, 7, 29, 47, 50, and 62. Claims 2-6, 8-28, 30-46, 48-49, 51-61 and 63-77 are allowable with their respective parent claim.

Cited References

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references relate to an apparatus for detecting physical mark or address based on a comparison results of a servo signal and reference signal.

Art Unit: 2627


7. This application is in condition for allowance except for matter of the claims objected to under 37 CFR 1.75(a) above. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thang V. Tran whose telephone number is (571) 272-7595. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen Hoa can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Thang V. Tran
Primary Examiner
Art Unit 2627